

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

RICARDO MATTHEWS and)
CLEO FRANK JACKSON, et al.,)
Plaintiffs,)
vs.)
TOWN OF AUTAUGAVILLE, et al.,)
Defendants.)

2008 MAR -5 P 3:08

DEBORA R. HACKETT CLERK

CASE NO:2:06 cv 185-DRB

**PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT AND MEMORANDUM BRIEF IN SUPPORT THEREOF**

Comes now the Plaintiffs, by and through their counsel of record, and opposes the Defendants' Motion For Summary Judgment filed in the above-styled case. Defendants are not entitled to summary judgment as there are genuine issues of material facts in this case. In support thereof Plaintiffs' present the following:

1. All pleadings previously filed in this Court.
2. Deposition of Curtis Jackson (Exhibit 1)
3. Deposition of LeVan Johnson (Exhibit 2)
4. Deposition of Donnie Martin (Exhibit 3)
5. Deposition of Wyatt Lee Segers, III (Exhibit 4)
6. Rule 650-X-2:01 of Alabama Police Officers Standards and Training Commission (Exhibit 5).

Respectfully submitted this 5th day of March, 2008.


JIM L. DEBARDELEBEN (DEB003)
Attorney for Plaintiffs

OF COUNSEL:

Jim L. DeBardeleben
Attorney At Law
P.O. Box 152
Montgomery, Alabama 36101-0152
(334) 265-9206

CERTIFICATE OF SERVICE

I hereby certify that I have this day sent by mail, postage prepaid, an exact copy of the foregoing document to:

Rick A. Howard, Esq.
Alex Holtsford, Jr., Esq.
April M. Wills, Esq.
Nix, Holtsford, Gilliland, Higgins & Hitson, P.C.
P.O. Box 4128
Montgomery, Alabama 36103-4128


Of Counsel